

### REMARKS

Applicants respectfully request consideration of the subject application. This Response is submitted in response to the Office Action mailed December 14, 2005. Claims 1-44 stand rejected. In this Amendment, claims 1, 12, 15 and 28 have been amended, claims 4, 7-11, 18, 22-27 and 31-44 have been cancelled and claims 45-48 have been added. No new matter has been added.

### Double Patenting

The Examiner has provisionally rejected claims 1-44 under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claim 1-32 of U.S. Patent No. 10/007,730. Applicants are prepared to submit a Terminal Disclaimer in either the present application or U.S. Patent Application No. 10/007,730 to overcome the rejection upon issuance of either application.

### 35 U.S.C. § 102 Rejections

The Examiner has rejected claims 1-44 under 35 U.S.C. § 102(e) as being anticipated by Sultan (U.S. Patent No. 6,804,657, hereinafter "Sultan").

Applicants respectfully submit Sultan fails to disclose, *inter alia*, as claimed in claim 1: "a forecast series block to identify hierarchy data defining members of an organization and a hierarchical position of each member, to identify a date and time to generate a forecast, to identify members of the organization to be included in generation of the forecast, the members derived from the hierarchy,

to identify forecast data to be automatically analyzed to generate the forecast, and to identify a visibility mode for the forecast.” Similar limitations are included in independent claims 12, 15 and 28.

Sultan is directed to methods and systems for global sales forecasting. Sultan teaches that generation of pipeline and/or forecasting information is carried out by “rolling up”, or aggregating the pipeline and/or forecast information entered and/or modified at hierarchically lower positions in the corporate sales organization.

Sultan does not disclose how or when a forecast is created or aggregated. Thus, Sultan does not teach a forecast creation block that automatically creates a forecast based on information in a forecast series block.

In contrast, embodiments of the present invention are directed to a forecast series block that includes data and definitions for automatically creating a forecast for various members of the organization. The forecast series block includes information relating to the hierarchy of the organization, dates and times to generate forecasts, members of the organization to be included in the forecast, data from those members to be included in the forecast and visibility modes for the forecast.

Thus, Sultan does not teach all of the limitations of independent claims 1, 7, 12, 15, 23 and 28. Claims 2-6, 8-11, 13-14, 16-22, 24-27 and 29-30 depend, directly or indirectly, from one of the foregoing independent claims. Applicant,

accordingly, respectfully requests withdrawal of the rejections of claims 1-44 under 35 U.S.C. § 102(e) as being anticipated by Sultan.

New claims 45 and 48 are method and apparatus claims, respectively, corresponding to system claim 1. New claims 46-47 depend on independent claim 45. Accordingly, new claims 45-48 are patentable over the cited art for at least the same reasons as given above for claim 1.

Applicant respectfully submits that the present application is in condition for allowance. If the Examiner believes a telephone conference would expedite or assist in the allowance of the present application, the Examiner is invited to call Jennifer Hayes at (408) 720-8300.

Please charge any shortages and credit any overages to Deposit Account No. 02-2666. Any necessary extension of time for response not already requested is hereby requested. Please charge any corresponding fee to Deposit Account No. 02-2666.

Respectfully submitted,

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